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CrI.OP.No.17610 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.17610 of 2022

Jagadeesh

...Petitioner/A3

Vs.

State of Tamilnadu represented by
The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
(In Crime No.159 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.159 of 2022 on the
file of the respondent.

For Petitioner	: Mr.V.Balamurugan
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor
For Intervenor	: Mr.R.C.Paul Kanagaraj

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.05.2022 for the offences punishable under Sections 147, 148, 341, 294(b) & 307 of IPC in crime No.159 of 2022 on the file of the respondent police, seeks bail.



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2. There are totally 12 accused, in which the petitioner is arrayed as A3. There was a dispute between A1 and *de-facto* complainant. Due to which, A1 engaged A2 to A12 as henchmen to do away the life of the injured. All the accused persons have attached with iron rod and injured the victim both on hands and legs. Immediately, he was admitted in the hospital and later he was discharged. He has spent more than 11 Lakhs as medical expense and even till today, he is not able to stand and walk.

3. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his i.e., 17.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall pay a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) directly to the *de-facto* complainant in Crime No.159 of 2022 by way of Demand Draft and on such payment, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood related sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate Tiruchengode, Namakkal District**, and on further conditions that:



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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall pay a sum of Rs.2,00,000/-(Rupees Two Lakhs Only) directly to the *de-facto* complainant in Crime No.159 of 2022 by way of Demand Draft and the proof shall be produced before the learned Magistrate concerned at time of execution of bond.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of six weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate Tiruchengode,
Namakkal District.
- 2.The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
- 3.Sub-Jail Tiruchengode.
- 4.The Public Prosecutor,
High Court of Madras

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